

REMARKS

The undersigned agent first wishes to thank Examiner Dada for granting the telephonic interview on December 20, 2005. During the interview, the undersigned agent and the Examiner discussed the §102(e) rejection of claim 13 as being anticipated by the patent to Levine. The undersigned agent noted that Levine fails to disclose that an outside agency receives a time stamp receipt that includes both identifying data and a time indication as called out in claim 13. In contrast, Levine discloses that an authenticating agency receives only the data at a “public” machine owned and operated by the agency. The agency appends the time stamp to the data after receipt on the public machine, and before forwarding the timestamped data to a “private” machine where it is signed. *Levine*, col. 6, ll. 9-19; col. 8, ll. 10-14. Because the authenticating agency in Levine time stamps the data, Levine cannot teach “creating a time stamp receipt including identifying data ... and a time indication ... [and] ... transmitting said time stamp receipt to an outside agency.” Therefore, the §102 rejection of claim 13 fails as a matter of law.

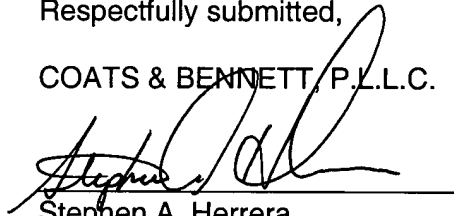
The Examiner contended that the “public” machine was not required to be part of the authenticating agency’s system, but rather, could be any computing device connected to the Internet that timestamped a document prior to sending it to the “private” machine of the agency. However, Levine does not support such an assertion. Levine specifically employs the public machine to isolate the “private” machine from malicious attacks and other access by the general public. *Levine*, col. 7, ln. 57 – col. 8, ln. 9. Levine explicitly discloses a private protocol between the public and private machines to ensure this isolation. *Levine*, col. 5, ll. 47-56; Figure 1. Therefore, the Levine method necessarily requires the presence of the public machine. Removing the public machine from the realm of the authenticating agency as proposed by the Examiner would render Levine unusable for its intended purpose.

Levine simply does not anticipate claim 13 or any of its dependent claims under §102. Indeed, it fails to teach each and every claim element as is required by law. At the conclusion of the interview, the Examiner reserved the right to study the reference again in detail, but appeared to agree Levine did not anticipate claim 13.

In light of the interview discussions and the foregoing remarks, Applicants respectfully request that the Examiner withdraw the §102 rejection and allow all pending claims.

Respectfully submitted,

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